

1 QUINN EMANUEL URQUHART & SULLIVAN, LLP
2 Charles K. Verhoeven (Bar No. 170151)
3 charlesverhoeven@quinnemanuel.com
4 David A. Perlson (Bar No. 209502)
5 davidperlson@quinnemanuel.com
6 Melissa Baily (Bar No. 237649)
7 melissabaily@quinnemanuel.com
8 John Neukom (Bar No. 275887)
9 johnneukom@quinnemanuel.com
10 Jordan Jaffe (Bar No. 254886)
11 jordanjaffe@quinnemanuel.com
12 50 California Street, 22nd Floor
13 San Francisco, California 94111-4788
14 Telephone: (415) 875-6600
15 Facsimile: (415) 875-6700

16 Attorneys for WAYMO LLC

17 UNITED STATES DISTRICT COURT

18 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

19 WAYMO LLC,

20 CASE NO. 3:17-cv-00939-WHA

21 Plaintiff,

22 vs.

23 UBER TECHNOLOGIES, INC.;
24 OTTOMOTTO LLC; OTTO TRUCKING
25 LLC,

26 **DECLARATION OF LINDSAY COOPER
27 IN SUPPORT OF PLAINTIFF WAYMO
28 LLC'S ADMINISTRATIVE MOTION TO
FILE UNDER SEAL ITS SUBMISSION
TO SPECIAL MASTER COOPER
REGARDING UBER'S OBLIGATION TO
PRODUCE JACOBS LETTER AND
RELATED DOCUMENTS**

29 Defendants.

30

31

32

33

34

35

36

37

38

39

40

41

42

1 I, Lindsay Cooper, declare as follows:

2 1. I am an attorney licensed to practice in the State of California and am admitted to
 3 practice before this Court. I am an associate at the law firm Quinn Emanuel Urquhart & Sullivan,
 4 LLP, counsel for the Plaintiff Waymo LLC (“Waymo”). I have personal knowledge of the matters set
 5 forth in this Declaration, and if called as a witness I would testify competently to those matters.

6 2. I make this declaration in support of Waymo’s Administrative Motion to File Under
 7 Seal information in its December 5, 2017 Submission To Special Master Cooper Regarding Uber’s
 8 Obligation To Produce Jacobs Letter And Related Documents (the “Administrative Motion”). The
 9 Administrative Motion seeks an order sealing the following materials:

10

11 Document	12 Portions to Be Filed Under 13 Seal	14 Designating Party
15 Portions of Waymo’s Submission	16 Portions highlighted in blue	17 Defendants
18 Exhibit 1	19 Entire document	20 Defendants
21 Exhibit 2	22 Entire document	23 Defendants
24 Exhibit 3	25 Portions highlighted in green	26 Waymo
	27 Portions highlighted in blue	28 Defendants
29 Exhibit 4	30 Portions highlighted in green	31 Waymo
32 Exhibit 5	33 Portions highlighted in green	34 Waymo
35 Exhibit 6	36 Portions highlighted in green	37 Waymo
38 Exhibit 7	39 Portions highlighted in green	40 Waymo
41 Exhibit 10	42 Portions highlighted in green	43 Waymo
	44 Portions highlighted in blue	45 Defendants
46 Exhibit 11	47 Portions highlighted in green	48 Waymo
49 Exhibit 13	50 Portions highlighted in green	51 Waymo
52 Exhibit 14	53 Entire document	54 Defendants

22 3. Waymo has filed portions of Waymo’s Submission (highlighted in blue) and exhibits
 23 thereto under seal because they contain information that Defendants have designated confidential.
 24 Waymo expects Defendants to file one or more declarations in accordance with the Local Rules.

25 4. In addition, a portion of Waymo’s Submission (highlighted in yellow) quotes a letter
 26 submitted to the Court by the United States Attorney, which the Court has held shall remain sealed
 27 until at least December 13 at noon. (Dkt. 2307).

1 5. Waymo's Submission also contains or refers to trade secret and confidential business
2 information, which Waymo seeks to seal. Certain exhibits to Waymo's Submission contain,
3 reference, and/or describe Waymo's asserted trade secrets as well as highly confidential business
4 information. I understand that these trade secrets are maintained as secret by Waymo (Dkt. 25-47)
5 and are valuable as trade secrets to Waymo's business (Dkt. 25-31). Specifically, Exhibits 4-6, 10,
6 and 13 contain search terms and other materials which reflect or disclose Waymo's asserted trade
7 secrets as well as confidential business plans. Exhibit 7 discusses Waymo's highly confidential
8 business plans, such as relating to potential mergers and/or acquisitions. Exhibit 11 contains the name
9 of individual suppliers for Waymo's autonomous vehicle systems, which Waymo maintains as secret.
10 The public disclosure of this information would give Waymo's competitors access to in-depth
11 descriptions—and analysis—of the functionality of Waymo's autonomous vehicle system. If such
12 information were made public, I understand that Waymo's competitive standing would be
13 significantly harmed. Exhibit 11 also contains the home address of a former Waymo employee.
14 Waymo's request to seal is narrowly tailored to only the confidential information.

15 I declare under penalty of perjury under the laws of the State of California that the foregoing is
16 true and correct, and that this declaration was executed in San Francisco, California, on December 11,
17 2017.

By /s/ Lindsay Cooper
Lindsay Cooper
Attorneys for WAYMO LLC

SIGNATURE ATTESTATION

Pursuant to Local Rule 5-1(i)(3), I attest under penalty of perjury that concurrence in the filing of this document has been obtained from Lindsay Cooper.

/s/ Charles K. Verhoeven
Charles K. Verhoeven